




COUNCIL AGENDA: 5-5-15
ITEM: 5.1

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL


FROM: Toni J. Taber, CMC
City Clerk

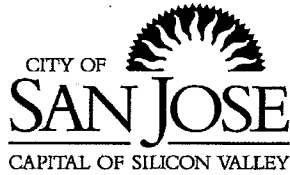
SUBJECT: SEE BELOW

DATE: 4-23-2015

SUBJECT: ANTI-GRAFFITI AND ANTI-LITTER PROGRAMS ANNUAL REPORT

RECOMMENDATION

As recommended by the Public Safety, Finance, and Strategic Support Committee on April 16, 2015 and outlined in the attached memo previously submitted by the Public Safety, Finance, and Strategic Support Committee, accept the Anti-Graffiti and Anti-Litter Program Annual Report.



Memorandum

TO: PUBLIC SAFETY, FINANCE
AND STRATEGIC SUPPORT
COMMITTEE

FROM: Angel Rios, Jr.

**SUBJECT: ANTI-GRAFFITI AND ANTI-LITTER
PROGRAMS ANNUAL REPORT**

DATE: April 1, 2015

Approved

Date

4-7-15

RECOMMENDATION

- (a) Accept the Anti-Graffiti and Anti-Litter Program Annual Report and refer the report to the City Council for the May 5, 2015, City Council meeting.
- (b) Continue with the current Anti-Graffiti Program service model and negotiate and execute subsequent amendments with Graffiti Protective Coatings as allowed by the agreement for the remaining term of the agreement including option terms through June 26, 2020, subject to the appropriation of funds.

EXECUTIVE SUMMARY

The Anti-Graffiti and Anti-Litter programs continue to make a positive impact to the livability of San José. In June 2011, the Anti-Graffiti Program was shifted to a vendor service model in which the vendor provides graffiti eradication while (PRNS) staff provides administrative oversight and management of the vendor agreement. This shift to a vendor service delivery model has successfully and continues to generate an annual savings of \$600,000. Beginning in February 2013, the program began operating as a component of the Mayor's Gang Prevention Task Force in order to maximize community engagement efforts. In June 2013, an audit of the Anti-Graffiti Program was performed which resulted in 20 recommendations for program efficiency. To date the program has implemented all but six recommendations. One audit recommendation was implemented in December 2013, four recommendations were implemented in June 2013, and nine recommendations were implemented in December 2014. The goal is to implement three of the six remaining audit recommendations that are feasible over the next year.

The Anti-Graffiti Program has designated five Proactive Zones managed by PRNS and assigned to the vendor to remove reported graffiti while proactively addressing unreported graffiti. The remaining areas of the city lie within a Reactive Zone managed by PRNS and assigned to multiple removal resources to eradicate reported graffiti, most of which is reported through the

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2014. In addition to reporting graffiti through the app, residents can also utilize email, walk-in or the call center to report graffiti. While PRNS has continued to regularly assess the program and implement efficiencies where viable, the amount of graffiti has continued to increase and therefore costs continue to rise for abatement. Over the past several years the program has noted several emerging trends which have contributed to this rise in cost. The most notable continued trends include an increase in larger tags that need to be removed, a quick return of graffiti once it has been abated, an increase of graffiti on freeway overpasses and a continued presence of slap tags. In order to combat the increase of graffiti on freeway overpasses and trestles, PRNS continues to refer graffiti abatement to the appropriate jurisdictions and partners with agencies to remove graffiti and develop ongoing strategies to reduce its recurrence.

As requested in the audit, this memo includes detailed reporting on the Anti-Graffiti Program's actual expenditures and remaining budget, geographic changes in service delivery, the number of active volunteers, events held, amount of paint distributed, response times for graffiti removed, and major inter-jurisdictional challenges and efforts.

The Anti-Litter Program continued to make strides in working with service groups, schools and community associations to reduce litter in our communities and waterways. The Anti-Litter Program worked closely with the Environmental Services Department to coordinate litter clean-up efforts and activities. In an effort to continue maximizing its impact, the Anti-Litter Program staff will focus on outreach and community engagement to increase volunteerism and further educate the community on the impact of litter. Currently the program is coordinating the Great American Litter Pick Up Event in each Council District which is scheduled for Saturday, April 25, 2015.

PART I: Anti-Graffiti and Anti-Litter Report

BACKGROUND

The Public Safety, Finance, and Strategic Support Committee will be advised of the current performance of the Anti-Graffiti and Anti-Litter Programs for 2013-2014. Per City Council direction at the February 3, 2015 City Council meeting, Parks, Recreation and Neighborhood Services (PRNS) was directed to return to the City Council at its April 16, 2015 meeting to seek direction as to which service delivery abatement options to pursue in the Anti-Graffiti Program. Part II of this report contains the options available for graffiti eradication services.

When the Anti-Graffiti Program was operated solely by City Staff, there were four strategies the Department used to beautify the City by preventing and removing graffiti. Those strategies were: (1) Empowerment through presentations to community groups, adopt-a-block organizations in neighborhoods, group paint-outs, an annual conference and a paint bank offering free materials; (2) Education through school programs, puppet shows, a quarterly newsletter, an online information service, technical support, and safety meetings; (3) Eradication through hotline reporting, paint matching for restoration work and graffiti removal supplies; and (4) Enforcement through police surveillance, court-mandated education and community service and restoration. PRNS was responsible for implementing three of these strategies which led to the

program being selected for a 2004 City Livability Award by The United States Conference of Mayors. Many other cities looked to San José as a Model Program and implemented many of San José's strategies into their programs.

In 2010-2011, during a very challenging citywide fiscal crisis, PRNS submitted an Alternative Service Delivery Proposal, which recommended to shift the eradication portion of the program to an outside vendor. Council adopted and implemented this new model in 2011-2012, which reduced City staffing by 12.38 positions. It is important to note that prior to this reduction, the City employed up to 21.13 positions in the Anti-Graffiti Unit, of which 2.0 positions were approved on a one-time basis and 2.0 positions were funded by the San José Redevelopment Agency.

Currently the Anti-Graffiti Program has 2.75 positions of City staffing remaining. The retained staffing include a 1.0 Community Services Supervisor who is responsible for managing the contract, implementing audit recommendations and coordinating with major property owners (Santa Clara County, VTA, CalTrans, Caltrain, Union Pacific Railroad) to address graffiti; 1.0 of Community Activity Worker who responds to and coordinates notification to private property owners who have graffiti on their property; and 0.75 Recreation Leader who manages calls to the office, emailed graffiti reports and the graffiti application work order database. Since 2011, the City has contracted with Graffiti Protective Coatings (GPC) to continue to combat graffiti and support the beauty and quality of life in San José.

The Anti-Litter Program is managed by a Community Services Supervisor. The Anti-Litter Program has 2.0 positions which focus on coordinating clean-up events including the Great American Litter Pick-Up and the National River Clean-Up. 1.0 Community Coordinator position that coordinates litter clean-up events with internal departments as well as outside agencies, manages the annual work plan and provides presentations regarding the impact of litter in neighborhoods. Additionally, 1.0 temporary Community Coordinator position through June 30, 2015, is authorized to focus on intensive volunteer recruitment and retention efforts.

In 2013-2014 the Anti-Graffiti and Anti-Litter Program was transitioned within PRNS to the Mayor's Gang Prevention Task Force in an effort to better coordinate volunteer and community outreach services. In 2013 the City Auditor completed a program audit that included twenty recommendations. To date the program has implemented all but six recommendations. The goal is to implement three of the remaining six recommendations that are feasible over the next year.

ANALYSIS

PRNS manages both the Anti-Graffiti and Anti-Litter Programs to support the quality and livability of San José. Through the City's graffiti vendor, Graffiti Protective Coatings (GPC) residents are able to easily submit graffiti work order requests through the San José Clean App and receive a follow-up email once the graffiti has been eradicated. This service continues to be seen as favorable with our residents due to the quick turnaround time and quality of the work that is completed. While GPC was contracted to focus the bulk of their efforts in designated Proactive Zones (Attachment A), they continue to be used heavily to respond to graffiti

eradication requests throughout the Reactive Zone. PRNS continues to rely on GPC to eradicate graffiti, due to the limited number of graffiti volunteers available. Moreover, utilization of the vendor citywide has continued to realize a \$600,000 annual general fund savings.

As stated in the June 2014, audit update, PRNS utilized part-time staff to assist with community engagement and volunteer recruitment efforts for the Anti-Graffiti and Anti-Litter Programs beginning April 2014. This temporary staff support allowed the programs to aggressively recruit and proactively engage neighborhood associations and schools to ultimately reduce graffiti and litter. The designated staff attended resource fairs to distribute information and educate the public about the impact of graffiti and litter; recruited volunteers; and provided on-site volunteer orientations and trainings. New outreach materials in English, Spanish and Vietnamese have been updated and have been distributed throughout the community. These materials have allowed for a more active engagement with residents.

Anti-Graffiti Program Updates

2013-2014 Anti-Graffiti Program Annual Budget and Expenditures

The 2013-2014 budget for the City of San José's Graffiti Program was \$1.3 million, of which \$823,000 is for eradication services with GPC, \$278,000 for personal services, \$99,000 for materials and supplies, and \$75,000 for other contracted services.

PRNS had an initial contract with GPC for five years in the amount of \$3,159,503 for the term June 27, 2011, through June 26, 2016. In February 2015, the City Council approved an amendment to the contract in the amount of \$999,797 for a new contract total of \$4,166,300, as the total annual cost to eradicate graffiti was higher than originally forecasted in 2010 (shown in the table below); PRNS had originally anticipated graffiti eradication costs to be an average of \$631,000 per year over the five year period of the contract. When the maximum compensation for this agreement was originally established, it was based on an estimate that approximately 1,500,000 square feet of graffiti would be abated annually within the geographical regions that were originally assigned to the vendor. Since then, regions have been added resulting in increased demand for graffiti abatement services. Currently, GPC is providing annual abatement services for approximately 557,000 square feet more than the 1,500,000 square feet that was the basis for the original compensation. The final vendor cost variance to purchase additional graffiti abatement services was, in fact, offset by savings in other areas, such as materials, resulting in no additional impact on the General Fund.

Fiscal Year	GPC Cost	Contract Balance
	Maximum Compensation	\$4,166,300
2011-2012	\$800,000 (actual)	\$2,366,503
2012-2013	\$815,000 (actual)	\$1,551,503
2013-2014	\$823,000 (actual)	\$728,503
2014-2015	\$823,000 (projected)	\$(94,497)
2015-2016	\$864,150 (projected)*	\$40,850*

*Note: There is a remaining balance of \$41,000 for contingency in case of major graffiti incidents.

This Anti-Graffiti budget is below what the program needs in order to address the increased graffiti throughout the City on an ongoing basis. Research shows that many cities spend more than San José to address graffiti eradication.

Sampling of Graffiti Program Budgets (based on 2012-2013 budgets)

City	Population	Graffiti Budget
Los Angeles	3,857,799	\$7,200,000
Phoenix	1,445,632	\$4,308,904
San Francisco	825,863	\$3,700,000
Chicago	2,695,598	\$3,311,783
Fresno	505,882	\$1,500,000
Riverside	313,673	\$1,300,000
San José	984,299	\$1,275,789
Long Beach	467,892	\$1,077,600

PRNS continues to manage the eradication of graffiti throughout San José. There are two primary strategies that are used to address graffiti within the City. These strategies include eradicating graffiti in specified zones:

- Proactive Zones: There are five areas that are considered Proactive Zones. They are in Council Districts 3, 5 & 7 which are specifically managed by PRNS and assigned entirely to Graffiti Protective Coatings, Inc. (GPC). GPC was selected as the vendor to oversee the five proactive zones. (Attachment A)
- Reactive Zones: The remainder of San José is coordinated by PRNS staff and assigned to existing removal resources such as, GPC, the Santa Clara County Probation Department, a small parks maintenance contractor, partner agencies or service groups and individual volunteers to remove graffiti in the Reactive Zones (Attachment A).

PRNS eradicates graffiti throughout the City with the goal of removing urgent graffiti (hate-speech and gang-affiliated graffiti) within 24 hours, and all other graffiti within the program's purview, within 72 hours. PRNS continues to take the approach to proactively eradicate graffiti in areas with high rates of graffiti related vandalism. In doing this, the City is advancing a long-term strategy that has been proven in other municipalities, and is now starting to see positive returns in San José. The table below illustrates the amount of graffiti removed for 2013-2014 by the City, through GPC and other resources. Moreover, the City continued to refer requests for graffiti removal to several major property owners including: CalTrans (California Department of Transportation), CalTrain, Pacific Gas and Electric, Santa Clara County Department of Transportation, San José Water Company and Union Pacific Railroad.

As illustrated in the table below, the amount of graffiti eradicated increased from 2012-2013 to 2013-2014. Currently, the City is on track to remove as much graffiti in 2014-2015 as was removed in 2013-2014.

Fiscal Year	Square Footage of Graffiti Removed
2013-2014	2,088,466
2012-2013	1,939,426

Emerging Trends

Over the past two years the Anti-Graffiti Program has continued to witness emerging graffiti trends. These trends include: larger tags which lead to more square footage of graffiti that needs to be eradicated; graffiti returning within a matter of days upon eradication; an increase in graffiti on freeway signage, overpasses and railings; more prolific tagging occurring in all areas of the City; and continued presence of graffiti slap tags (stickers, that are placed on signs) throughout the City. The program is currently in the process of developing a contract with San José Conservation Corps to assist with graffiti removal in the Reactive Zones.

To combat these trends, the program has continued its outreach strategy with the goal of: increasing the volunteer corps; educating the public on the impact of graffiti to the livability of the community; working closer with major property owners to abate graffiti within the City; and addressing graffiti on private property. While it is the goal of the program to develop a volunteer recruitment strategy, there are currently limited staff in the Graffiti Program to implement this strategy. Additionally, PRNS staff will be attending the Zero Graffiti Conference in April 2015 to research best practices for addressing graffiti in municipalities.

Community Reporting of Graffiti

The City experienced an increase in graffiti removed due to the success of the San José Clean Graffiti App. This technology continued to make it easier for residents to quickly and accurately report graffiti throughout the City. PRNS has found that this ease in graffiti reporting has lead to: 1) an increase in overall reporting of graffiti on City and non-City property; 2) an increased community expectation to remove graffiti immediately; and 3) a concern that the continued growth in popularity with the App will cause PRNS to further lengthen the response time it takes to remove non-urgent graffiti in throughout the City.

The City currently has more than 16,000 San José Clean App users who report graffiti via their mobile devices. Introducing this technology to San José residents has increased the interest of residents to report graffiti and their expectation that it will be immediately removed. The act of graffiti reporting by the community continues to contribute to the success of the Anti-Graffiti and Anti-Litter Program. In addition to the San José Clean App, residents can also quickly and accurately report graffiti via the Call Center (866-249-0543), by email (antigraffiti@sanjoseca.gov) and on-line through the program website.

From the data, it is evident that this technology greatly enhances the ability of residents and volunteers to actively participate in the abatement of graffiti in San José. As shown in the table below, the San José Clean App continues to be a very popular tool for reporting 84% of the volume of service requests reported to the Anti-Graffiti Program through the San José Clean App.

Community Reporting Methods

	San José Clean App	Email	Walk-in	Call Center	Phone Calls to Office	Total
Total (2013-2014)	20,389	1,011	2	2,422	179	24,003
Total (2012-2013)	15,224	2,801	12	1,144	415	19,596

Graffiti Audit Highlights

The 2013 audit provided many recommendations for program efficiencies, including the eradication of graffiti within City boundaries on non-City property. Attachment B is the City Auditor's Semi-Annual Recommendation Follow-Up Report as of December 2014 for Graffiti Abatement. This attachment reflects all but six audit recommendations as implemented. PRNS has continued to make progress on implementing the Anti-Graffiti Program recommendations since December 2013.

Since December 2014, the Department has continued to successfully implement most of the audit recommendations. These successes include:

- Developing community education materials to educate and engage the community in graffiti eradication in English, Spanish, and Vietnamese;
- Developing and implementing internal guidelines for managing the monthly budget to ensure that work performed by the contractor remains within the allocated budget; this includes guidelines for prioritizing the contractor's work orders with monthly budget limits;
- Referring non-City property graffiti eradication requests to the appropriate jurisdictions for graffiti abatement;
- Referring non-compliant property owners who do not abate graffiti within ten days to Code Enforcement for further action; and
- Strengthening partnerships with CalTrans, CalTrains, Union Pacific Railroad, and GROUNDWERX in effort to take a coordinated approach to removing graffiti on Interstate 280, the 13th Street and McKee Road trestles, and downtown core.

The following sections have been added to this annual memorandum in response to the Anti-Graffiti Program Audit to ensure additional transparency in key program areas.

Geographic Changes in Service Delivery

There have been no additional geographic service delivery changes for 2013-2014. Attachment A illustrates the current proactive and reactive zones managed by PRNS.

Number of Active Volunteers, Gallons of Paint Distributed, Events Held

The chart below lists the number of registered and active volunteers for 2013-2014. Registered volunteers are volunteers who are registered with the City's Anti-Graffiti Program and regularly report volunteer hours. Service Group volunteers are individuals who participate in graffiti eradication events as part of a school, college/university, fraternity, service organization or other organized community effort. Additionally, we have provided a sampling of the resource fairs and events where the Anti-Graffiti Program engaged in community outreach below. It is important to note, that the program believes that there are many more individuals who volunteer to remove graffiti but do not register or report their efforts in the City's computer based management system Volunteer Squared. This is an area where we will seek to improve in 2015-2016.

Registered Anti-Graffiti Program Volunteers

Fiscal Year	Total Registered Volunteers	Service Group Volunteers	Gallons of Paint Distribute	San José Clean App Users
2013 - 2014	72	1,634	535	13,000
2012 - 2013	N/A	62	416	8,000

Community Engagement Events Held in 2013-2014

- Valley Palms 6th Annual Resource Event, October 23, 2013
- Leadership Public Schools Resource Fair, November 12, 2013
- 2nd Annual Love Over Violence Event, March 6, 2014
- Mt. Pleasant Neighborhood Association Health Fair, March 8, 2014
- Unity Day IV Walk and Resource/Job Fair, March 29, 2014
- Latino Parent Coalition, April 2, 2014
- Somos Mayfair Resource Fair, April 5, 2014
- West Valley Senior Walk, April 11, 2014
- San José Youth Commission's Youth Conference, April 18, 2014
- Spring fest, April 19, 2014
- 7th Annual Health & Safety Fair, May 5, 2014
- Celebrating Partnerships Event, May 8, 2014
- 21st Annual Asian American Heritage Festival, May 10, 2014
- Senior Health and Fair Walk, May 17, 2014
- Pueblo Play Fair (Pueblo de Dios Church), May 17, 2014
- 5th Annual Party at the Park (Shady Oaks), May 17, 2014
- Annual Active Adult Health Fair and Walk at History Park in San José, May 21, 2014
- Valley Palms 7th Annual Resource Event, May 31, 2014

- Festival in the Park, June 7, 2014
- Summer Kick-Off Event (Mount Pleasant High School), June 21, 2014
- Health and Resource Fair (Emmanuel Church), June 28, 2014

Response Times for Graffiti Eradication within the zones

During 2013-2014 the Anti-Graffiti Program removed graffiti located on City property within 48 hours of receiving a resident-initiated request. Graffiti located on private property or other non-City property takes longer to coordinate and eliminate. Often times, Anti-Graffiti Program staff must refer a graffiti complaint on private property to the Planning, Building and Code Enforcement Department to be resolved. When this action is taken, the time that it takes for graffiti to be removed is significantly increased. It is important to note, that with the increase in San José Clean App users the program refined the Performance Measures that the program will report on annually. These new measures are based on a 72 hour response time for addressing non-urgent graffiti, but maintains response times to urgent (gang, hate or offensive tags) graffiti within 24 hours (for graffiti reported during the weekdays). The tables below illustrate the number of work orders that were processed in 2012-2013 and 2013-2014. It is important to note that a work order can contain several graffiti tags that were removed.

Overall there was an increase in the amount of square footage for 2013-2014 from 1,939,426 to 2,088,466 yet work orders decreased during this time period. The program is managing to budget, while addressing an increase in larger tags and slap tags. Additionally, the program was not able to implement a sweep in areas that are prone for an increased amount of graffiti which reduced the overall number of work orders that were processed last fiscal year.

Response Times - Response Metrics from 7/1/13 - 6/30/14*

Work Orders Completed	%	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Reactive	TOTAL
Within 24 hours	63.3%	3,466	1,458	2,319	7,170	1,097	12,916	28,426
1-2 days	22.1%	160	117	1,358	3,012	224	5,038	9,909
3-5 days	8.0%	10	18	619	1,203	87	1,652	3,589
6+ days	6.6%	40	33	366	1,003	65	1,452	2,959
TOTAL	100%	3,676	1,626	4,662	12,388	1,473	21,058	44,883

Response Times - Response Metrics from 7/1/12 - 6/30/13

Work Orders Completed	%	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Reactive	TOTAL
Within 24 hours	83%	7,026	2,913	4,299	13,297	1,953	17,327	46,815
1-2 days	13%	80	64	960	2,642	116	3,265	7,127
3-5 days	2%	11	5	132	326	14	570	1,058
6+ days	2%	22	9	66	372	18	656	1,143
TOTAL	100%	7,139	2,991	5,457	16,637	2,101	21,818	56,143
Variance	N/A	(3,463)	(1,365)	(795)	(4,249)	(628)	(760)	(11,260)

*Beginning 2014-2015 the Program introduced new Performance Measures that will address all non-urgent graffiti within 72 hours.

Major Multi-jurisdictional Challenges and Efforts

PRNS continues to refer reported graffiti, located within the City, on non-City property to key stakeholders (CalTrans, CalTrains, Union Pacific, San José Water and Santa Clara County). The above mentioned partner organizations own significant areas of very visible public and private property within San José (for example, highways, overpasses, expressways and other locations usually outside of the City's jurisdiction), making their properties susceptible to large volumes of tagging. The City will be meeting with key stakeholders in late spring to select the next areas for coordinated graffiti eradication efforts.

Next Steps

Additionally, PRNS continues to meet with major stakeholders with the goal of moving towards mutual agreements on abatement timing and associated expenses. City staff will concurrently pursue a comprehensive restitution/reimbursement policy when the City takes the lead in abatement, on property owned by key stakeholders. The City is highly dependent on these partners to eradicate a significant volume of visible graffiti within the City's limits in order to meet community expectations. Despite ongoing progress, the Department continues to face challenges in removing graffiti located on non-City property. These multi-jurisdictional challenges include different agency timelines for graffiti removal which do not align with the public expectation of graffiti eradication. Also, there is no available technology that allows for easy identification of property owners at time.

Anti-Litter Program Updates

In collaboration with the Department of Environmental Services (ESD), the PRNS Anti-Graffiti and Anti-Litter Programs coordinated a number of litter clean-up activities and efforts throughout the City.

PRNS has continued to work closely with ESD to better align resources provided to ensure that program goals and outcomes are being met and within funding use criteria as established in 2013-2014. During these meetings it was determined that while staff was addressing issues of litter and blight, the types of work order requests being received by the PRNS Anti-Litter Program were more closely aligned with the Department of Transportation's (DOT) Illegal Dumping Program. In an effort to better align work and priorities, PRNS and DOT agreed to shift all illegal dumping work order requests directly to DOT, effective January, 2014. This allowed staff to spend more time increasing volunteer awareness for the Anti-Litter Program.

PRNS developed a 2014-2015 work plan with ESD, which placed an increased effort on community engagement with the goal of reducing litter and blight and building a strong core of volunteers. This effort was completed on a parallel track with the Anti-Graffiti Program community engagement and volunteer recruitment efforts.

Since, the Anti-Litter Program transitioned under the Mayor's Gang Prevention Task Force the Department has been able to tap into key resources that allowed for additional community

engagement; outreach in communities impacted by litter; the ability to leverage key MGPTF partners; and additional staff support to accomplish large-scale community events.

Past Major Events

- Coastal Clean Up Day - September 15, 2013, Anti-Graffiti and Litter Programs supported 925 volunteers collected 24,462 pounds of garbage and 1,930 pounds of recyclables from local waterways.
- National River Clean Up – May 17, 2014, the Anti-Litter Program participated in this program by hosting the Guadalupe site. Volunteers collected over 609 pounds of litter.
- Great American Pick Up San José - April 26, 2014, had 742 volunteers that removed 1,052 bags of trash and litter from City streets, parks, and neighborhoods. The volunteers provided a total 4,208 hours of service.
- City of San José's Mayor's State of the City Address, March 14, 2015, Program staff provided information about the Anti-Graffiti and Litter Programs, as well as recruited program volunteers.
- Program materials were distributed at all events listed on page 8 of this document.

Upcoming Activities

- Great American Litter Pick Up Day, April 25, 2015
- National River Clean Up Day, May 16, 2015
- PRNS Volunteer Recognition Event, August 15, 2015
- Coastal Clean Up Day, September 19, 2015

The Anti-Litter Program continues to work to increase awareness and volunteerism with the goal of reducing litter in City designated litter hot spots. The outreach strategy seeks to educate neighborhoods on the impact of litter to our creeks, and engage communities in the City's overall goal to significantly reduce litter and blight.

PART II: Anti-Graffiti Program Options

Graffiti Program Service Delivery Options

Per City Council direction at the February 3, 2015 City Council meeting, PRNS was directed to return to the City Council at its April 16, 2015 meeting to seek direction as to whether Council wants to continue with the current Graffiti Program Service Delivery Model or explore other options from July 2016 through July 2020. Below are the proposed options for the Graffiti Program Service Delivery.

OPTION 1 – The City can exercise its option to extend the term of the current agreement for two additional two-year periods, based upon the same conditions of the initial terms, subject to adjustments for compensation as set forth within the contract. By exercising this clause of the

agreement, graffiti abatement services would continue through June 26, 2020. The cost to maintain this service would include the currently funded \$823,000 per year, \$41,150 contingency to address emergency incidents of graffiti, in addition to an increase of 5% for contractual increases for 2015-2016. For example in 2015-2016, under this option the additional budget required would be \$41,150 for the contractual increases. Please note that the costs in Option 1 only include eradication costs for the program, and does not include City of San José program staffing costs. This is the PRNS Department's recommended option.

OPTION 2 – The City of San José could move forward with Request for Proposals (RFP) to seek bids from graffiti eradication vendors to perform graffiti abatement services. A RFP could take up to one year for the process and selection, as well as staffing resources for the procurement process. PRNS is requesting authority to negotiate and execute a contract with the current graffiti eradication vendor to ensure there is no lapse in services in the interim. A new contract of up to five (5) years would be recommended to be negotiated and executed with the selected vendor, including options for contractual extensions.

OPTION 3 – The City could restore the in-house graffiti eradication staffing model for the Graffiti Program. In addition to the current 2.75 positions, this would include restoring up to 17.13 positions (of which 2.0 positions were approved on a one-time basis and 2.0 positions were funded by the San José Redevelopment Agency) as well as graffiti removal equipment, vehicles (spray rigs, trucks, and vans), and purchasing an App or other real time graffiti work order system (including licensing fees), and is an estimated \$2.6 million one-time cost and \$1.8 million ongoing. This option would need Council authorization to evaluate a full City cost eradication model, and would take PRNS several months to analyze different in-house models in light of today's technological advances. PRNS is requesting authority to negotiate and execute a contract with the current graffiti eradication vendor to ensure there is no lapse in services in the interim.

National Model Program Components

The City can restore and reestablish the program as a national model, which would also require selecting one of the previous graffiti abatement options listed above. These elements include the Graffiti Education (\$285,000) and Private Property Enforcement Unit (\$240,000) in addition to restoring 3.0 positions of dedicated Police Officer positions (1.0 Sergeant and 2.0 Officers) to investigate graffiti vandalism (\$384,000 for personal services, and \$60,000 for non-personal/equipment costs), for a total first year estimated cost of \$969,000.

Two of the components of the program that made the Anti-Graffiti Program a national model were eliminated in 2011. The first component was the Education and Community Outreach Team. This team focused on educating youth, parents, neighborhoods, and business as to the impact of graffiti, its repercussions and how to prevent it. It also focused on recruiting volunteers and service groups to assist with abating graffiti. As stated above, the cost to restore this component of the program is approximately \$285,000, consisting of 3.0 positions (1.0 Community Coordinator, 3.0 Community Activity Worker and \$35,000 in non-personal/equipment costs).

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The second component of the program was the Private Property Enforcement Team. This team addressed graffiti that was located on private property including businesses and homes in addition to graffiti located within the City on non-City property. This team was responsible for working with businesses to remove graffiti, coordinating graffiti removal on non-City property with other agencies and referring complaints to Code Enforcement if they were not addressed within a specified timeframe. The cost to restore this component of the program is approximately \$240,000, consisting of 3.0 positions (1.0 Community Coordinator, 2.0 Community Activity Worker and \$45,000 in non-personal/equipment costs).

CONCLUSION

In light of funding constraints and competing Departmental service demands, PRNS recommends option #1, to continue with Graffiti Protective Coatings through June 2020, for graffiti eradication services. The current vendor continues to deliver quality services including the San Jose Clean App, which allows residents to easily report graffiti at a cost that allows PRNS to continue to realize an annual savings of \$600,000. Moreover, PRNS continues to receive positive feedback from the community regarding the quality of graffiti abatement services performed.

/s/

ANGEL RIOS, JR.

Interim Director

Parks, Recreation and

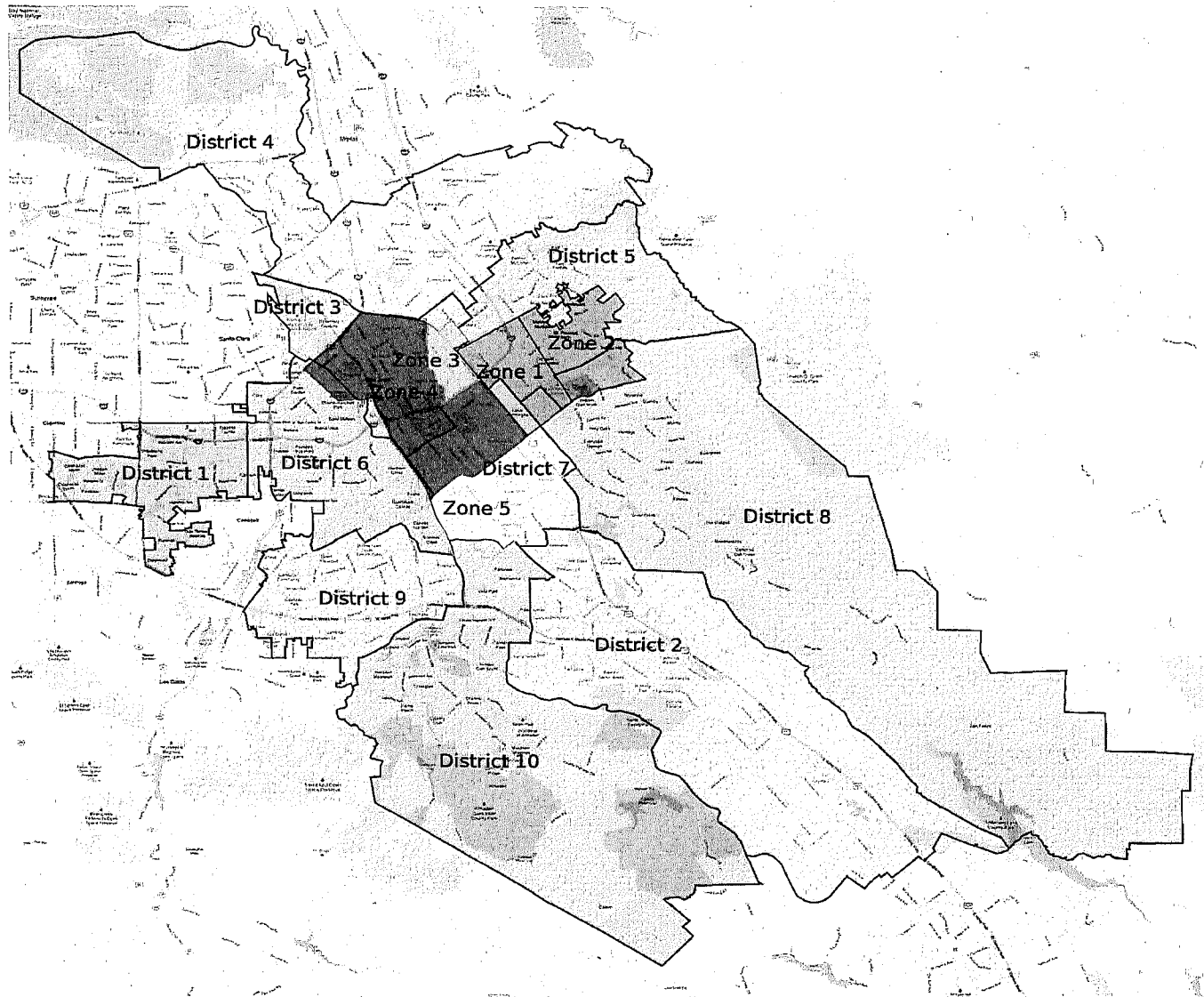
Neighborhood Services

For questions, please contact Suzanne Wolf, Deputy Director, at (408)535-3576.

Attachment A: City of San José Council Districts and Zones 1-5

Attachment B: Graffiti Abatement Semi-Annual Audit Recommendation Follow-Up Report as of December 2014

ATTACHMENT A
City of San José Council Districts and Zones 1-5



Map Key

Proactive Zones – 1, 2,
3, 4 & 5

Reactive Zones – all
other areas

ATTACHMENT B

Graffiti Abatement Semi-Annual Audit Recommendation Follow-Up Report as of December 2014

GRAFFITI ABATEMENT: IMPLEMENTING A COORDINATED APPROACH(Issued 6/13/13)

The objective of our audit was to review the changes in the City's program after outsourcing, the impacts of outsourcing, the overall effectiveness of the program, contractor performance, and concerns about the methodology used in the citywide graffiti survey. Of the 20 recommendations in the report, 5 were previously implemented, 9 were implemented/closed during this period, and 6 are partly implemented.

<p>#1: To improve and formalize budgetary controls, we recommend PRNS document its policies and procedures to:</p> <ul style="list-style-type: none"> a) Clarify its approach and the contractor's responsibility in unassigned areas; b) Define the restorative approach; c) Consider establishing monthly do not exceed guidelines; and d) Clarify its approach for working with the contractor regarding notification and/or preapproval of large work orders and secondary graffiti to help control costs. 	PRNS	Implemented	<p>Auditor's update as of December 2013: PRNS reports that it is developing internal policies to guide program management and staff in the use of the restorative approach, contractor's responsibility in the unassigned areas, and the pre-approval process for large work orders. Target date: 6-14.</p> <p>Auditor's update as of June 2014: PRNS reports that it met with the contractor in April 2014 to clarify the contractor's responsibility in the unassigned areas. The contractor will continue to focus their primary efforts in the assigned areas. PRNS also reports that it has defined the restorative approach with the contractor. These terms have not been formally documented.</p> <p>PRNS reports that it will not establish do-not-exceed guidelines. The department reports that it will continue to manage the monthly budget to ensure that the work performed by the contractor remains within the annual allocated budget. However, recent monthly contract expenditures have grown.</p> <p>PRNS reports that it will meet with the contractor to finalize notifications on preapproval for large work orders and secondary graffiti. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS developed internal guidelines to aid program management and staff in managing the contractor's work in: removing graffiti in unassigned areas, addressing "secondary graffiti" through the contractor's restorative approach to graffiti abatement, and pursuing large work orders. PRNS has also developed guidelines for managing the monthly budget to ensure that the work performed by the contractor remains within the allocated budget.</p>
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<p>#2: PRNS should work with the contractor to minimize costs by:</p> <ul style="list-style-type: none"> a) Increasing volunteer activity in unassigned areas to reduce contractor workload; b) Prioritize spending by service requests, proactive graffiti removal, and proactive secondary graffiti removal; and c) Monitor spending by month and against the contract total. 	PRNS	Implemented	<p>Auditor's update as of December 2013: The department plans to implement a new volunteer recruitment model in April 2014. Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS redeployed existing staff to focus on community engagement in April 2014. A volunteer recruitment plan (community engagement plan) has been developed with the goal of reducing the contractor's workload in reactive areas. Staff began implementing the plan in May 2014 and will continue implementing the plan for FY 14-15 with the goal of volunteerism. Additionally, PRNS continues to work with the Santa Clara County Probation Department volunteers on the weekends to assist with graffiti removal.</p> <p>PRNS reports that it manages the monthly budget to ensure that costs do not exceed annual amounts allocated to the contractor, but the annual amounts have still exceeded established limits. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS continues to work with volunteers and has developed internal guidelines for managing the monthly budget to ensure that work performed by the contractor remains within the allocated budget; this includes guidelines for prioritizing the contractor's work orders when budget limitations warrant. Target date: 6-15.</p>
<p>#3: To improve tracking of urgent work orders, we recommend PRNS:</p> <ul style="list-style-type: none"> a) Provide better instructions to smartphone app users to write out monikers and tags when creating a service request; b) Identify known gang or hateful tags/monikers that should be abated within 24 hours, c) Work with contractor to electronically match monikers that should be marked as urgent within the work order management system; and d) Continue to report response times for 'urgent' tags. 	PRNS	Closed/ Implemented	<p>Auditor's update as of December 2013: PRNS met with the contractor to discuss changes to its smartphone app. Changes will be considered based on feasibility and budgetary impact.</p> <p>PRNS continually works with the contractor to discuss what gang-related and hate monikers should be removed within 24 hours and in determining a method for identifying gang related graffiti. This is an ongoing process as gang/hate monikers continually change. PRNS is working with the contractor to determine whether or not this can be done within the current work order management system.</p> <p>PRNS will continue to report response times for "urgent" tags in Council and Committee related memos and communication. Target date: TBD.</p>

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			<p>Auditor's update as of June 2014: At the Public Safety, Finance and Strategic Support Committee (PSFSS) meeting on April 17, 2014, PRNS reported response times for "urgent" tags. Target date: TBD.</p> <p>Auditor's update as of December 2014: As a work-around, PRNS staff are reviewing service requests to ensure known gang or hateful tags are abated expeditiously. PRNS continues to report response times for urgent tags.</p>
<p>#5: To better identify ownership and parties responsible for non-City properties, PRNS should determine public/private property ownership, particularly specific agencies and major property owners to whom the City should be referring graffiti requests.</p>	PRNS	Implemented	<p>Auditor's update as of December 2013: PRNS reports that it will monitor updated technology as it becomes available. Moving forward with this recommendation requires coordination with outside departments (Information Technology, Public Works and Planning, Building & Code Enforcement). Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS continues coordinated graffiti removal as needed. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS has developed a guide for staff to identify ownership of often-vandalized properties including phone numbers, contact information, and a template for responding to service requests.</p>
<p>#6: To better involve property owners and parties responsible for non-City properties, we recommend PRNS develop:</p> <p>a) Door-hangers, fliers, or other notices in multiple languages to inform property owners of their responsibilities, and of City services; and</p> <p>b) A permission gathering process or proposal to amend the Municipal Code to allow for implied consent to remove graffiti on non-City owned property.</p>	PRNS	Partly Implemented	<p>Auditor's update as of December 2013: PRNS has begun developing fliers in multiple languages, and plans to work with the Department of Planning, Building & Code Enforcement on Municipal Code changes. Target date: FY 2014-15.</p> <p>Auditor's update as of June 2014: PRNS provides property owners with brochures in English and Spanish that informs property owners of their responsibilities and City services. PRNS also provides property owners with a courtesy letter that informs property owners that the City has received complaints alleging the presence of graffiti on their property and a description of the San José Municipal Code Section 9.57.300. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS provides property owners with brochures in English, Spanish, and Vietnamese. The brochures inform property owners of their responsibilities and City services. PRNS also provides property owners with</p>

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			a courtesy letter that informs property owners that the City has received complaints alleging the presence of graffiti on their property. The letter contains a description of the San José Municipal Code Section 9.57.300. The department plans to work with the City Attorney's Office on an "implied consent" arrangement to facilitate the removal of graffiti on private property. Target date: 6-15
#7: PRNS should propose amending the Municipal Code to specify and reduce the number of days graffiti is allowed to persist on property before action is taken, with special consideration for urgent graffiti.	PRNS	Implemented	<p>Auditor's update as of December 2013: No change. Target date: 1-15.</p> <p>Auditor's update as of June 2014: PRNS will reduce the notification days from 60 to 10 days. This will allow the property owner to come to the Anti-Graffiti office to sign-up for the free one time paint color match. Target date: TBD.</p> <p>Auditor's update as of December 2014: In its letters to property owners, PRNS has reduced the notification timeframe to 10 days.</p>
#8: To improve PRNS' ability to hold property owners and responsible parties accountable, we recommend PRNS: a) Work with the contractor to standardize addresses and link them to the City's property ownership data; b) Establish limits on the number of courtesy abatements within a specific time frame to be performed on non-City property; c) Track the number of abatements on properties; and d) Refer to Code Enforcement and seek reimbursement after limit is reached.	PRNS	Partly Implemented	<p>Auditor's update as of December 2013: After talking with the contractor, PRNS reports that additional modifications to the smartphone app will have a budgetary impact and may increase costs. The current contractor-provided work order management system provides data that may allow for staff to track number of visits. Technological improvements are necessary to link work orders to property owner information.</p> <p>PRNS reports that it will meet with Code Enforcement to discuss strategies to seek reimbursement and establish limits on the number of courtesy abatements on non-City owned property. Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS met with Code Enforcement (see Recommendation #9). Target date: TBD.</p> <p>Auditor's update as of December 2014: Currently, standardized addresses and information about property ownership is not available through the contractor's smartphone app. PRNS is developing internal guidelines that will outline the number of courtesy abatements within a yet-to-be-determined timeline. PRNS reports that it will meet with the City Attorney's Office about seeking reimbursement after</p>

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			established limits on courtesy abatements on non-City owned properties. Target date: TBD.
#9: To streamline its code enforcement referral process, we recommend PRNS: a) Reduce the number of visits staff makes to a site, and/or link visits directly to an administrative citation/affidavit process; and b) Refer properties that have clearly identifiable code enforcement violations beyond graffiti directly to Code Enforcement for further action.	PRNS	Implemented	Auditor's update as of December 2013: PRNS will need to coordinate this administrative change with the Department of Planning, Building & Code Enforcement. Target date: 2014. Auditor's update as of June 2014: PRNS reports that it is working with Code Enforcement to set up a training and working session in October 2014, with staff to finalize the process. Target date: TBD. Auditor's update as of December 2014: Complaints on private property are given 10 days after site visit to abate graffiti. Program staff give responsible parties a one-time 2 gallon-bucket of free paint. Program staff refer non-compliant property owners who do not abate graffiti within 10 days to Code Enforcement.
#10: To better hold non-City property owners and responsible parties accountable and help preserve limited graffiti removal resources, we recommend PRNS: a) Identify other jurisdictions, agencies, districts, and contractors who are responsible for graffiti removal within City boundaries; b) Formalize acceptable timelines with parties through Memoranda of Understanding; c) As technology allows, refer work orders for these types of properties directly to the responsible parties; and d) Establish a process such that when timelines have expired, it can remove the graffiti and seek reimbursement.	PRNS	Partly Implemented	Auditor's update as of December 2013: PRNS will pursue MOUs with partner agencies. The department has discussed possible solutions with Santa Clara County and the State of California, and is in periodic contact with Caltrans and Union Pacific. PRNS forwards graffiti removal service requests for non-City owned property via email, phone and agency specific websites, when it receives them. PRNS continues to discuss the best methods to remove stagnant graffiti with partner organizations and continues to discuss the best ways to seek reimbursement. Target date: TBD. Auditor's update as of June 2014: PRNS developed a list of key non-City property owners. The Department coordinates graffiti removal with these property owners when feasible. PRNS continues to add businesses

<p>#11: To address graffiti on freeways, railways, and expressways, the City should continue building relationships by:</p> <p>a) Continue meeting periodically with large property owners (e.g. Caltrans) who also have a graffiti problem, to address joint areas of concern; and</p> <p>b) Explore possible Memoranda of Understanding between parties.</p>	PRNS	Partly Implemented	<p>Auditor's update as of December 2013: PRNS continues to meet periodically with partner organizations that own property within City boundaries to develop the most feasible methods to address one-time and ongoing Graffiti. PRNS has scheduled a meeting with CalTrans for Spring 2014 to address graffiti located on freeway overpasses. PRNS reports that it will continue to pursue Memoranda of Understanding with partner agencies. Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS meets quarterly with large property owners to address graffiti and plan dates for future graffiti removal. The City continues to coordinate graffiti removal efforts. The graffiti contractor currently has a contract with CalTrans to abate graffiti in San José. PRNS reports that it will continue to pursue Memoranda of Understanding with partner agencies. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS continues to have periodic meetings with CalTrans. The department is in the process of developing Memoranda of Understanding with the Downtown Association, CalTrans, and Santa Clara County. The department will continue to identify new parties for additional MOUs. Target date: TBD.</p>
<p>#12: To address graffiti on construction sites, we recommend PRNS work with the departments of Planning, Building and Code Enforcement and Public Works, to ensure permits clarify the responsibility for promptly abating graffiti on construction barriers and in construction zones.</p>	PRNS	Implemented	<p>Auditor's update as of December 2013: PRNS will work with the Department of Planning, Building & Code Enforcement and the Department of Public Works to address changes to permits that clearly clarify Graffiti removal at construction sites. Target date: Fall 2014.</p> <p>Auditor's update as of June 2014: No change. Target date: Fall 2014.</p> <p>Auditor's update as of December 2014: City site development permits outline the permit holder's responsibility for promptly abating graffiti in construction zones.</p>

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#13: To address graffiti hotspots, PRNS should: a) Continue to track monikers in the work order management system; b) Provide the Police Department with information about graffiti trends, hotspots, and prolific taggers; c) Work with Police Department on placement of cameras; and d) Work with Police Department to investigate high profile graffiti cases and coordinate strategic enforcement efforts.	PRNS	Implemented	Auditor's update as of December 2013: PRNS continues to track monikers through the contractor-provided work order management system. Staff reports that it has met with the Police Department to demonstrate the contractor's graffiti work order system and how it tracks monikers, and will forward information to SJPD at their request. PRNS will continue to meet with the Police Department to determine the best locations to place cameras with the goal of reducing repeat graffiti. Target date: TBD. Auditor's update as of June 2014: PRNS continues to track monikers through the contractor-provided work order management system. PRNS provides SJPD with information on gang tags and graffiti trends through the Mayor's Gang Prevention Task Force Technical Team Meetings. Additionally, the program provides any graffiti information that is needed for open investigations. The Department of Transportation has installed cameras in the City. In addition, according to PRNS, SJPD is preparing to purchase cameras for the Mayor's Gang Prevention Task Force. Plans are to install them in 12 hotspot areas where graffiti is a problem. SJPD plans to issue an RFP in January 2015. PRNS continues working with program staff to provide SJPD with information on graffiti restitution costs. Target date: TBD. Auditor's update as of December 2014: PRNS shares information on gang tags and graffiti trends with SJPD, which could aid SJPD in investigating graffiti cases. PRNS is advising SJPD in the installation of cameras in graffiti hotspots.
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<p>#15: We recommend that PRNS work to streamline service requests so that they are entered directly into the work order system (and thus bypass PRNS staff) by:</p> <ul style="list-style-type: none"> a) Promoting the smartphone app and the contractor's hotline as the primary ways to report graffiti for all of San José, including City Councilmembers; b) Implement the contractor's online reporting form; and c) Allowing the contractor to reassume entering hotline calls directly into the work order system. 	PRNS	Partly Implemented	<p>Auditor's update as of December 2013: PRNS promotes the smartphone app and contractor's hotline as the main avenues to report graffiti at resource fairs, presentations, and on flyers and other program materials.</p> <p>By June 2014, PRNS plans to meet with the contractor to discuss the best way to implement the online reporting form. PRNS has discussed with the contractor, plans to transition the hotline-initiated work orders from City staff to the contractor. Implementation of the online reporting form and having the contractor reassume entering hotline-initiated work orders, will depend on costs. Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS continues to promote the smartphone app and the contractor's hotline as the primary ways to report graffiti in flyers and other outreach material that is printed.</p> <p>PRNS reports it is working to link the contractor's online reporting form from PRNS' Anti-Graffiti webpage. Target date: TBD.</p>
<p>#18: PRNS should work with the contractor to enhance its smartphone app to:</p> <ul style="list-style-type: none"> a) Change the default to require residents to opt-out of a follow-up message, and b) Give residents more information about why their requests could not be completed and who to contact when the contractor cannot handle their requests. 	PRNS	Closed/ Implemented	<p>Auditor's update as of December 2013: PRNS reports that it is working with the contractor to explore methods to change the smartphone app to require residents to opt-out of a follow-up message. Changes to the app may present additional costs, and would need to be considered against budget resources.</p> <p>PRNS reports that it is currently exploring a cost-effective method that would allow the Department to communicate with residents when their requests are not completed. Target date: TBD.</p> <p>Auditor's update as of June 2014: The SJ Clean smartphone app was updated in to refer non-City graffiti abatement requests directly to the responsible parties and jurisdictions. PRNS continues to inform residents through phone calls and/or emails when their requests cannot be processed by the City and who they should contact. Other enhancements to the smartphone app have not yet been implemented. Target date: TBD.</p> <p>Auditor's update as of December 2014: PRNS and the contractor agreed not to change the</p>

			<p>smartphone app's default to require residents to opt-out of a follow-up message. According to PRNS, the change may lead to phone data charges. Through the contractor's smartphone app, PRNS informs customers when their requests cannot be processed by the City, and provides customers with the contact information of large property owners and responsible parties.</p>
<p>#19: PRNS should work to improve the Anti-Graffiti Program's visibility and accessibility through:</p> <p>a) Brochures: Develop brochures like previous door-hanger that outline muni code, city policies and services.</p> <p>b) Language accessibility: Develop materials in multiple languages, ensure residents can report graffiti in multiple languages.</p> <p>c) Physical accessibility: Place volunteer materials at more central locations. Consider partnering with retail stores so volunteers can pick up materials (and also get paint-matching services).</p> <p>d) Unifying contact info: Publicize the hotline number on all materials.</p> <p>e) Website improvement: Clearly define City services and improve access to graffiti reporting, including an online</p>	PRNS	Partly Implemented	<p>Auditor's update as of December 2013: PRNS has included the graffiti hotline, smartphone app and other contact information on all graffiti materials that it currently distributes.</p> <p>The department has also begun translating current program flyers and information into Spanish and Vietnamese.</p> <p>PRNS reports that it is pursuing an RFP to secure a contractor that can develop brochures and other communication materials. As part of this, the department will consider the use of a door hanger to communicate the Municipal Code, and other City policies.</p> <p>PRNS is reviewing the current website to determine what areas will need to be modified for easier accessibility. Target date: TBD.</p> <p>Auditor's update as of June 2014: PRNS has updated its program materials and is working to translate them into multiple languages.</p> <p>PRNS has identified the Hank Lopez Community Center as future a location to distribute volunteer materials and hold volunteer orientations.</p>